

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

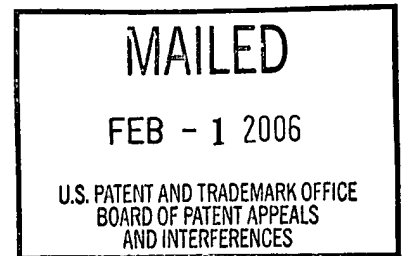
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte KAREN L. FINCHER,  
THOMAS J. LaROSA,  
DAVID W. McCARTER, and  
JULIE R. PEAR

Appeal No. 2004-1273  
Application 09/637,086

**ORDER DISMISSING APPEAL**



Before FLEMING, Chief Administrative Patent Judge,  
HARKCOM, Vice Chief Administrative Patent Judge,  
ADAMS, Administrative Patent Judge.

Per curiam.

On July 7, 2003, appellants filed a Notice of Appeal. On January 17, 2006, appellants filed a communication requesting that this application be expressly abandoned under 37 C.F.R. §1.138(a) in view of a continuing application filed on January 13, 2006.


Accordingly, it is


ORDERED that the appeal filed July 7, 2003, is dismissed.

Appeal No. 2004-1273  
Application 09/637,086

The application is being returned to the examiner for further action as may be appropriate.

  
Michael R. Fleming, Chief  
Administrative Patent Judge

  
Gary V. Harkcom, Vice Chief  
Administrative Patent Judge

  
Donald E. Adams  
Administrative Patent Judge

BOARD OF PATENT  
APPEALS AND  
INTERFERENCES

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